

NOTICE TO BIDDERS

NOTICE IS HEREBY GIVEN, that sealed proposals for the Erie County Sewer District No. 3, Influent Submersible Pump Station and ORF Improvements, Southtowns Advanced Wastewater Treatment Facility Project, Contract No. 37STP-A, General, Contract No. 37STP-B, HVAC and Contract No. 37STP-D, Electrical will be received by the Commissioner of the Erie County Department of Environment and Planning on June 27, 2014 until 10:00 A.M., local time, at 95 Franklin Street, Room 1034, Buffalo, New York, 14202, at which time they will be publicly opened and read aloud in Room 1004.

The contract is located at the Southtowns Advanced Wastewater Treatment Facility, S-3690 Lake Shore Road, Hamburg, NY. Work of the General, HVAC, and Electrical Contracts comprises the project for constructing a new influent submersible pump station, new sodium bisulfite chemical feed system, modifications to the Overflow Retention Facility, and site work improvements in accordance with the plans and specifications heretofore prepared by GHD.

Bidders are advised that a pre-bid meeting for the construction of this project is scheduled for June 5, 2014, at 10:00 A.M., in the conference room of the Southtowns Advanced Wastewater Treatment Facility. Site tour will follow the pre-bid meeting.

Plans are on file and may be examined at the office of the Erie County Department of Environment and Planning, 10th Floor, 95 Franklin Street, Buffalo, New York 14202. Copies of the contract documents, plans and specifications may be examined and purchased at the office of the GHD Consulting Engineers, LLC, 200 John James Audubon Parkway, Suite 101, Amherst, NY 14228. Related information and a listing of prospective bidders can be found in Business Center, "Construction Bids and Engineering Proposals" on the Erie County Web Page @ WWW.ERIE.GOV

The Owner is not responsible for the accuracy or completeness of information, including plans, specifications, and/or any addenda, which the Bidder may have received from sources other than the locations for examining and purchasing listed above.

The deposit for each set of contract documents shall be \$100.00 in the form of two checks or money orders, each in the amount of one-half the deposit, and made payable to the Erie County Comptroller. Any bidder requesting a set of plans and specifications mailed to their office must arrange for a pre-paid delivery service or mail carrier.

The envelope containing the bid must be sealed, addressed to the Erie County Commissioner of Environment and Planning and must be clearly and correctly designated as "Erie County Sewer District No. 3, Influent Submersible Pump Station and ORF Improvements, Southtowns Advanced Wastewater Treatment Facility Project, Contract No. 37 STP A - General, 37 STP B - HVAC, or 37 STP D - Electrical". Bidders submitting a bid for more than one contract must do so in separately sealed envelopes for each contract. Any envelope containing more than one bid will be considered an improper bid and not opened. Any bids not delivered in person shall be mailed to the Erie County Commissioner of Environment and Planning, 95 Franklin Street, Room 1034, Buffalo, New York 14202, and received prior to the time set for the bid opening.

Any bidder returning such plans and specifications in good condition within thirty (30) days following the award of the contract or the rejection of bids will be refunded the full amount of the deposit. Non-bidders will be refunded one-half the deposit. Any bidder requesting more than one (1) set of plans and specifications may purchase the excess, but it is understood that they are not returnable. No refund will be made for documents returned after the thirty-day period.

Erie County Sewer District No. 3 is an exempt organization under the Tax Law, and is exempt from payment of Sales and Compensating Use Taxes which are to be incorporated into the project and which are to be separately sold by the Contractors to the Owner prior to incorporation into the project, pursuant to the provisions of the contract. These taxes are not to be included in the bid. Sales tax will be due on all materials purchased by a Contractor which are either "consumable" or rental property used by the Contractor in connection with the construction or repair.

Each proposal must be accompanied by a certified check payable to the Erie County Comptroller or by a bid bond having a surety thereon from a surety company acceptable to the County Attorney, in an amount not less than five percent (5%) of the total base bid, as surety for execution of the contract.

The successful bidder will be required to furnish Payment and Performance Bond, each in an amount equal to 100 percent of the contract award.

The attention of the bidder is called particularly to the provisions of Erie County Local Law No. 2-2006, known as the "Erie County Workforce Development and Diversification New York State Certified Worker Training Program", to have in place and provide written proof at the time of bid, a New York State Certified Worker Training Program, either intentional to the Contractor or Subcontractor and/or through an organization servicing several Contractors or Subcontractors, appropriate for the type and scope of work to be performed. In the alternative, Rules and Regulations pertaining to Local Law No. 2-2006 allows the Bidder to provide a statement as to the inapplicability, lack of career opportunities, and/or that the magnitude of the contract would make apprentices impractical. Bidders shall also provide affirmation of its commitment toward acceptable achievement or progress toward the County of Erie workforce development and diversification goal of thirty percent minority and female participation combined in project personnel including trades people, trainees, journeymen, apprentices and supervisor staff.

The attention of the bidder is called particularly to requirements with respect to conditions of employment to be observed, minimum wages rates to be paid under the contract, Affirmative Action requirements for Equal Employment Opportunity, along with the Minority Business Enterprise Utilization Commitment. Bidders are also advised that Part "A" of the Erie county Minority Business Enterprise/Women's Business Enterprise Utilization Report be submitted with the bid or no later than three (3) business days after the bid opening.

The attention of the bidder is called to the provisions of Article 5A of the General Municipal Law which requires the bidder to execute a certificate of non-collusion and to

conform with the other provisions of Article 5A outlined in the specifications. A form for such certificate accompanies the bid form. Unless it is properly executed, the bid will not be accepted.

The bidder acknowledges to and for the benefit of the Erie County Sewer District No. 3 ("Purchaser") and the State of New York (the "state") that it understands the goods and services under this project are being funded with monies made available by the Clean Water State Revolving Fund and/or Drinking Water State Revolving Fund that have statutory requirements commonly known as "American Iron and Steel;" that requires all of the iron and steel products used in the project to be produced in the United States ("American Iron and Steel Requirement") including iron and steel products provided by the Contractor pursuant to this Agreement. All of the iron and steel products used in the project will be and/or have been produced in the United States in a manner that complies with the American Iron and Steel Requirement, unless a waiver of that requirement is approved.

The right to reject any and all bids, to waive any informalities in, or to make any award to other than the low bidder, should it be deemed to be in the best interest of Erie County Sewer District No. 3 and in accordance with Law, are herewith reserved.

No bidder may withdraw his bid within 45 days after the date set for the opening thereof, but may withdraw same anytime prior to the scheduled time for opening bids.

BY ORDER OF: Joseph L. Fiegl, P.E.
Deputy Commissioner
Department of Environment
and Planning